



**HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.**  
AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION August 18, 2008

TO: Mail Stop: ISSUE FEE  
Examiner: A. LAVARIAS  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

FROM: Douglas P. Mueller

OUR REF: 14434.0092USWO

TELEPHONE: (612) 455.3800

Total pages, including cover letter: 13

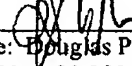
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Title of Document: **Communication Regarding Prior Art (1 pg); Copy of Form 1449 (1 pg); 2 References (10 pgs).**

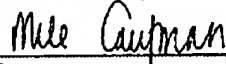
Applicant: MIYAZAKI et al.  
Serial No.: 10/561,489  
App. Filed: March 15, 2006  
Group Art No.: 2872  
Con. No.: 6312

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S/N 10/561,489

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIYAZAKI et al. Examiner: A. LAVARIAS  
Serial No.: 10/561489 Group Art Unit: 2872  
Filed: March 15, 2006 Docket No.: 14434.0092USWO  
Title: LIGHT DIFFRACTION METHOD AND DIFFRACTION DEVICE,  
DIFFRACTION GRATING USED FOR THEM, AND POSITION  
ENCODING DEVICE

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on August 14, 2008.

By: Mele Cauffman  
Name: Mele Cauffman

COMMUNICATION REGARDING PRIOR ART

Mail Stop: ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Commissioner:

This is in response to the Notice of Allowance, dated August 7, 2008, for the above-referenced application. Applicants re-submit herewith two non-patent literature documents, which were previously submitted in an Information Disclosure Statement on December 20, 2005. A copy of the relevant Form 1449 also is enclosed. References already considered have been crossed out. Applicants respectfully request the references be made of record.

Respectfully submitted,

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Dated: August 18, 2008**52835**

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